UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/353,160	07/14/1999	MARKKU KORPI	99P7704US	3063

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EXAMINER
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ART UNIT	PAPER NUMBER
2666	

DATE MAILED: 09/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _05 May 2004_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
     closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-24_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) _4,6-10 and 12-24_ is/are allowed.

6)☒ Claim(s) _1-3,5 and 11_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _14 July 1999_ is/are: a)☐ accepted or b)☒ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

     1.☐ Certified copies of the priority documents have been received.

     2.☐ Certified copies of the priority documents have been received in Application No. _____.

     3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
          application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
      Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
      Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which

forms the basis for all obviousness rejections set forth in

this Office action:

> (a) A patent may not be obtained though the invention is not
> identically disclosed or described as set forth in section 102 of
> this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a
> whole would have been obvious at the time the invention was made to a
> person having ordinary skill in the art to which said subject matter
> pertains. Patentability shall not be negatived by the manner in
> which the invention was made.

2.   This application currently names joint inventors. In

considering patentability of the claims under 35

U.S.C. 103(a), the examiner presumes that the subject

matter of the various claims was commonly owned at the time

any inventions covered therein were made absent any

evidence to the contrary. Applicant is advised of the

obligation under 37 CFR 1.56 to point out the inventor and

invention dates of each claim that was not commonly owned

at the time a later invention was made in order for the

examiner to consider the applicability of 35 U.S.C. 103(c)

and potential 35 U.S.C. 102(e), (f) or (g) prior art under

35 U.S.C. 103(a).

3.   Claims 1-3, 5, and 11 are rejected under 35

U.S.C. 103(a) as being unpatentable over Kanter (WO

98/59467) in view of Bennefeld (US 6,519,249).

The applicant defines an endpoint as clients and

gateways (pg. 1 lines 12-13).

Kanter teaches an H.323 endpoint (fig. 2 box 11, 11',

pg. 3 lines 7-13).

Kanter teaches the H.323 endpoint comprises a H.323

controller (fig. 2 box 11, pg. 3 lines 7-13) configured to

handle a call and control signaling (fig. 2 box 11, ARQ,

destination alias address, destination call signaling

address, source alias address, source call signaling

address, desired bandwidth, desired call model, pg. 4 lines

1-11) during a media communication with another H.323

endpoint (fig. 2 box 11') via a gatekeeper (fig. 2 box 15,

15', pg. 3 line 13) or directly with another endpoint. The

examiner maintains that the endpoint of Kanter contains a

controller since it controls call signaling by providing

the destination alias address, destination call signaling

address, source alias address, source call signaling

address, desired bandwidth, and desired call model.

Kanter teaches wherein the H.323 controller provides a

communication domain identifier 'CDI' / EndPointIdentifier

(pg. 7 lines 20-22) for address resolution during a media

communication, said CDI permitting use of virtual domains

(virtual private network, pg. 2 lines 4-5). Note, the

EndPointIdentifier identifies the end point (fig. 2 box 11)

with the gatekeeper (fig. 2 box 15) in the zone / domain

(fig. 2 box 13, pg. 3 lines 13-14) that is accessed by the

zone management means (fig. 2 box 17).

Regarding claims 1-3, although Kanter teaches using a

virtual domain associated with a single gatekeeper based

upon a CDI / EndPointIdentifier, the reference is silent on

the CDI permitting use of multiple virtual domains

associated with a single gatekeeper based on the CDI or

permitting use of virtual domains associated with multiple

gatekeepers based on the CDI.

Regarding claims 1-3, Bennefeld like Kanter operates

in a H.323 environment (col. 5 lines 14-15). Bennefeld

teaches permitting use of domains associated with multiple

gatekeepers (fig. 5A box 502, 504, 506, col. 9 lines 35-

52). Note, in Bennefeld (fig. 5A) each gatekeeper is assigned to a particular zone/domain.

Therefore it would have been obvious to one of ordinary skill in the art, having both Kanter and Bennefeld before him/her and with the teachings [a] as shown by Kanter, a method of routing calls in a H.323 environment, and [b] as shown by Bennefeld, a root gatekeeper distributing calls to a plurality of gatekeepers, to be motivated to modify the system of Kanter by replacing the single gatekeeper of Kanter (fig. 2 box 15) with the root gatekeeper (fig. 5A box 502) and a plurality of subsequent gatekeepers (fig. 5A box 504, 506). At registration, the root gatekeeper would assign one of the gatekeepers to handle the call. This would improve the system in cases where a single Gatekeeper is insufficient to service all the requests.

Regarding claims 2 and 3, in addition to the limitations previously listed, the H.323 controller is configured to use said CDI / EndPointIdentifier to determine a domain of a called party during an address resolution phase in a gatekeeper routed signaling mode. At

connection setup the end user (fig. 2 box 11) sends an ARQ

signal to gatekeeper (fig. 2 box 15, pg. 4 lines 1-3). The

gatekeeper (fig. 2 box 15) then sends a zone request

comprising the Destination Alias Address of the receiving

end user (fig. 2 box 11') to the zone management means

(fig. 2 box 17, pg. 4 lines 13-15). The zone management

means (fig. 2 box 17) responds with a zone confirmation

(pg. 4 lines 17-18) to the gatekeeper (fig. 2 box 15, pg. 4

lines 17-18). Gatekeeper (fig. 2 box 15) sends an address

confirmation signal to the end user (fig. 2 box 11, pg. 4

lines 28-29). Note, the domain of the called party is known

by the zone management means since the end user of the

called party (fig. 2 box 11') within zone / domain (fig. 2

box 13') has been registered with its gatekeeper (fig. 2

box 15') and the zone management means (fig. 2 box 17) via

the CDI / EndPointIdentifier (pg. 7 lines 20-22).

Regarding claim 5, H.323 endpoint comprises a client

terminal (Kanter: fig. 2 box 11) or gateway.

Regarding claim 11, Kanter teaches a

telecommunications system (fig. 2).

Kanter teaches a packet-switched network (IP, pg. 1
lines 4-5).

Kanter teaches a plurality of endpoints coupled to the
packet switched network (fig. 2 box 11, 11').

Kanter teaches a gatekeeper coupled to the packet
switched network (fig. 2 box 15).

Although Kanter teaches the endpoints define a virtual
domain associated with the gatekeeper (fig. 2 box 11, 13,
15, EndPointIdentifier, pg. 7 lines 20-22,), the reference
is silent on predetermined numbers of said plurality of
endpoints define multiple virtual domains associated with a
same gatekeeper or virtual domains associated with multiple
gatekeepers.

Bennefeld teaches permitting use of virtual domains
associated with multiple gatekeepers (fig. 5A box 502, 504,
506, col. 9 lines 35-52). Note, in Bennefeld (fig. 5A) each
gatekeeper is assigned to a particular zone/domain.
Therefore, a plurality of endpoints (users connected to the
root gatekeeper of a particular zone) is associated with a
virtual domain associated with multiple gatekeepers.

Therefore it would have been obvious to one of
ordinary skill in the art, having both Kanter and Bennefeld
before him/her and with the teachings [a] as shown by
Kanter, a method of routing calls in a H.323 environment,
and [b] as shown by Bennefeld, a root gatekeeper
distributing calls to a plurality of gatekeepers, to be
motivated to modify the system of Kanter by replacing the
single gatekeeper of Kanter (fig. 2 box 15) with the root
gatekeeper (fig. 5A box 502) and a plurality of subsequent
gatekeepers (fig. 5A box 504, 506). At registration, the
root gatekeeper would assign one of the gatekeepers to
handle the call. This would improve the system since in
cases where a single gatekeeper is insufficient to service
all the requests.

Allowable Subject Matter

4.   Claim 4, 6-9, and 12-24 allowed.

Regarding claim 4, 6-9, 17, 22, and 24, Kanter
teaches an H.323 endpoint (fig. 2 box 11, pg. 3 lines 7-
13).

Kanter teaches the H.323 endpoint comprises a H.323 controller (fig. 2 box 11, pg. 3 lines 7-13) configured to handle a call and control signaling (fig. 2 box 11, ARQ, destination alias address, destination call signaling address, source alias address, source call signaling address, desired bandwidth, desired call model, pg. 4 lines 1-11) during a media communication with another H.323 endpoint (fig. 2 box 11') via a gatekeeper (fig. 2 box 15, 15', pg. 3 line 13) or directly with another endpoint. The examiner maintains that the endpoint of Kanter is a controller since it controls call signaling by providing the destination alias address, destination call signaling address, source alias address, source call signaling address, desired bandwidth, and desired call model.

Kanter teaches wherein the H.323 controller provides a communication domain identifier 'CDI' / EndPointIdentifier (pg. 7 lines 20-22) for address resolution during a media communication, said CDI permitting use of virtual domains (virtual private network, pg. 2 lines 4-5). Note, the EndPointIdentifier identifies the end point (fig. 2 box 11) with the gatekeeper (fig. 2 box 15) in the zone / domain (fig. 2 box 13, pg. 3 lines 13-14) that is accessed by the zone management means (fig. 2 box 17).

Bennefeld teaches, in a H.323 environment, permitting

use of virtual domains associated with multiple gatekeepers

based on the CDI (fig. 4B, col. 8 lines 48-60). Note, based

on the CDI / destination alias address, a root gatekeeper

(fig. 4B box 402) will receive a call. The root gatekeeper

will then route the call to one of the gatekeepers (fig. 4B

box 404, 406, 408). See fig. 5A where different root

gatekeepers handle different zones.

Regarding claims 4, 9, 23, and 24, nothing in the

prior art of the record teaches or fairly suggests wherein

the H.323 controller is configured to use said CDI to

determine a domain of one or more parties during execution

of one or more domain-restricted functions in view of the

prior art teachings of the combination of Kanter and

Bennefeld. See applicant domain-restricted (pg. 8 lines 3-

5, pg. 9 lines 2-3, pg. 10 lines 31-32).

Regarding claims 6, 7, 17, 22, although the controller

(fig. 2 box 11, 11') records its own association with its

gatekeeper and domain, nothing in the prior art of

reference teaches or fairly suggests the controller stores

a database identifying multiple virtual domains associated

with a single gatekeeper or a virtual domain associated
with multiple gatekeepers. Note, the database of Kanter
storing the association of virtual domains associated with
gatekeepers is located at the zone management means (fig. 2
box 17) and not at the controllers (fig. 2 box 11, 11').
The controller only stores its association with its virtual
domain and gatekeeper. Furthermore, regarding claim 22,
nothing in the reference teaches or suggests accessing the
database to determine if said called party is associated
with a local extension.

Regarding claim 8, nothing in the prior art of the
record teaches or fairly suggests wherein the controller is
configured to access the database for a virtual domain
identifier in a direct signaling mode. See applicant (pg. 4
lines 17-21). In contrast, Kanter only teaches a gatekeeper
routed mode.

Regarding claims 12, 14, and 16, Kanter teaches a
telecommunications system (fig. 2).

Kanter teaches a packet-switched network (IP, pg. 1
lines 4-5).

Kanter teaches a plurality of endpoints coupled to the
packet switched network (fig. 2 box 11).

Kanter teaches a gatekeeper coupled to the packet
switched network (fig. 2 box 15).

Bennefeld teaches permitting use of virtual domains
associated with multiple gatekeepers (fig. 5A, col. 9 lines
35-52). Note, in Bennefeld (fig. 5A) each gatekeeper is
assigned to a particular zone/domain. Therefore, a call
will be routed to an endpoint based upon the particular
zone/domain. Thus, the endpoint in Bennefeld is associated
with a particular virtual domain.

However, nothing in the prior art of the record
teaches or fairly suggests the endpoints include
communication domain identification controllers for
resolving associated virtual domains during call setup.

Response to Arguments

5.   Applicant's arguments filed 5/5/2004 have been fully
considered but they are not persuasive. Regarding claims 1-
3 and 11, the applicant argues that the amended claims
should be allowed since the language calls for 'multiple

virtual domains associated with a single gatekeeper' (pg. 10 last paragraph). However, the claims state, see claim 1, said communication domain identifier permitting use of multiple virtual domains associated with a single gatekeeper based on said communication domain identifier or permitting use of virtual domains associated with multiple gatekeepers based on said communication domain identifier". In the prior office action, the examiner addresses the 'virtual domains associated with a single gatekeeper based on said communication domain identifier' portion of the 'or clause'. The applicant has amended to include multiple virtual domains. In response, the examiner has addressed the "permitting use of virtual domains associated with multiple gatekeepers based on said communication domain identifier" portion of the 'or clause' in the current office action. Therefore, the examiner maintains that all limitations of amended independent claims 1-3 and 11 have been addressed.

Conclusion

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Abelson whose telephone number is (703) 306-5622. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (703) 308-5463. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may
be obtained from the Patent Application Information
Retrieval (PAIR) system. Status information for published
applications may be obtained from either Private PAIR or
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more information about the PAIR system, see http://pair-
direct.uspto.gov. Should you have questions on access to
the Private PAIR system, contact the Electronic Business
Center (EBC) at 866-217-9197 (toll-free).

Ronald Abelson
Examiner
Art Unit 2666

* * *

7/20/04

SEEMA S. RAO   7/26/04
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